

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**CHADD LEATH,**

**Plaintiff,**

**v.**

**COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

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**Case No. 5:09-CV-741**

**JUDGE KATHLEEN M. O'MALLEY**

**ORDER**

The Commissioner of Social Security denied social security benefits to the Claimant, Chadd Leath ("Leath"), in the above-captioned case. Leath sought judicial review of the Commissioner's decision, and this Court referred the case to Magistrate Judge James S. Gallas for preparation of a Report and Recommendation ("R&R") pursuant to Local Rule 72.2(b)(1) and 28 U.S.C. §636(b)(1)(B). Both parties filed briefs in support of their respective positions. (Docs. 12 and 14.) The Magistrate Judge then submitted his R&R on March 24, 2010, recommending that the Court affirm the Administrative Law Judge's ("ALJ") decision as supported by substantial evidence. (Doc. 15.) Neither party filed an objection to the R&R, and the time for doing so has now expired. (*See* Doc. 15 at 12.)

Because Leath has not objected to the R&R, he has waived his right to challenge the Magistrate Judge's findings. *Thomas v. Arn*, 474 U.S. 140, 149 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *Amadasu v. Mercy Franciscan Hosp.*, 515 F.3d 528, 530 (6th Cir. 2008) (citing *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005)). Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R, thus **AFFIRMING** the Commissioner of Social Security's decision.

**IT IS SO ORDERED.**

**Date: April 14, 2010**

s/Kathleen M. O'Malley  
**KATHLEEN MCDONALD O'MALLEY**  
**UNITED STATES DISTRICT JUDGE**